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12 Attorneys for Plaintiff and Counter-defendant
13 NIDEC CORPORATION and Additional Defendants NIDEC
AMERICA CORPORATION and NIDEC SINGAPORE
14

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 NIDEC CORPORATION

Case No. C05 00686 SBA (EMC)

19 Plaintiff,

Action Filed: February 15, 2005

20 v.

E-Filing

21 VICTOR COMPANY OF JAPAN, LTD., JVC
COMPONENTS (THAILAND) CO., LTD.,
22 AGILIS INC., and AGILIS TECHNOLOGY
INC.,

**ORDER MODIFYING PARAGRAPHS A
AND B OF THE ORDER FOR PRETRIAL
PREPARATION (D.I. 283)**

23 Defendants,

24 NIDEC AMERICA CORPORATION and
25 NIDEC SINGAPORE PTE, LTD.,

26 Additional Defendants on
27 the Counterclaims.

28 [STIPULATION AND PROPOSED] ORDER MODIFYING PARAGRAPHS A
AND B OF THE ORDER FOR PRETRIAL PREPARATION

1 Pursuant to Rule 16(e) of the Federal Rules of Civil Procedure, and to fully reflect the
 2 deadlines discussed and established during the Case Management Conference (*see* D.I. 282), the
 3 parties stipulate to an order providing that Paragraphs A and B of the Order for Pretrial Preparation
 4 entered on October 25, 2006 (D.I. 283) shall be modified to state the following:

5 **A. DISCOVERY CUT-OFF**

6 All discovery, except for expert discovery, depositions in Japan, and willfulness discovery,
 7 shall be completed and all depositions taken on or before **1/10/07**. All depositions in Japan shall be
 8 taken on or before **3/16/07**. The parties are responsible for scheduling discovery so that motions to
 9 resolve discovery disputes can be heard before the above discovery cut-offs.

10 **B. EXPERT DESIGNATION AND EXPERT AND WILLFULNESS DISCOVERY**

11 Plaintiff shall disclose any affirmative experts by **1/16/07**; defendant by **1/16/07**; and rebuttal
 12 experts disclosed by **2/16/07**. Any expert not so named may be disallowed as a witness. No expert
 13 will be permitted to testify to any opinion, or basis or support for an opinion, that has not been
 14 disclosed in response to an appropriate question or interrogatory from the opposing party.
 15 Affirmative expert reports shall be due by **3/16/07**; rebuttal expert reports by **4/16/07**. Expert
 16 discovery and willfulness discovery shall be completed by **5/16/07**.

17 **C. PRESERVATION OF PRIOR ORDER**

18 To the extent not expressly amended herein, the Court's previous Order dated October
 19 25, 2006 (D.I. 283) shall remain in effect.

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1 AGREED.

2 Respectfully Submitted,

3 Dated: November 1, 2006

MORGAN, LEWIS & BOCKIUS LLP

4 FRANKLIN BROCKWAY GOWDY
5 THOMAS D. KOHLER
6 DAVID C. BOHRER
MICHAEL J. LYONS
7 DION M. BREGMAN

8 By: /s/ David C. Bohrer

9 David C. Bohrer
10 Attorneys for Plaintiff and Counter-defendant
11 NIDEC CORPORATION and Additional
12 Defendants NIDEC AMERICA
13 CORPORATION and NIDEC SINGAPORE

14 Dated: November 1, 2006

15 HOWARD RICK NEMEROVSKI CANADY
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20 MORTON AMSTER (*pro hac vice*)
21 ANTHONY F. LO CICERO (*pro hac vice*)
22 CHARLES R. MACEDO (*pro hac vice*)

23 By: /s/ Anthony F. Lo Cicero

24 Anthony F. Lo Cicero

25 Attorneys for Defendants and Counter-Plaintiffs
26 VICTOR COMPANY OF JAPAN, LTD. and
27 JVC COMPONENTS (THAILAND) CO., LTD.
28 and Defendants AGILIS INC., and AGILIS
TECHNOLOGY INC.

IT IS SO ORDERED.

Dated: 11/3/06


24 _____
25 SAUNDRA BROWN ARMSTRONG
26 United States District Judge

1 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, David C. Bohrer, attest
2 that concurrence in the filing of this document has been obtained from each of the other signatories. I
3 declare under penalty of perjury under the laws of the United States of America that the foregoing is
4 true and correct. Executed this 1st day of November, 2006, at Palo Alto, California.

5 /s/ David C. Bohrer
6 David C. Bohrer
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